IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL LODGING NO.868 OF 2004
WITH
INCOME TAX APPEAL LODGING NO.869 OF 2004

The Commissioner of Income Tax
Mumbai City V. ..Appellant.
Vs.
M/s. Om Construction Pvt. Ltd. ..Respondents.

Mr.R.G.Bhat for the Appellant.
Mr.P.K. Pardis for the Respondents.

CORAM : F.I. REBELLO &
R.S. MOHITE, JJ.
DATED : 3RD DECEMBER,2007.

PC :

1. In both these appeals the issue was based on project completion. The matters were adjourned to find out whether on completion of the project the respondents have filed their return. The learned counsel produces the return filed for the Assessment year 2007-2008 in which all the income has been disclosed. Considering the above fact, the above appeals as filed would not be maintainable and consequently the learned counsel seeks leave to withdraw the aforesaid appeals. Appeals are allowed to be withdrawn. Refund Court fee as per rules.

(F.I. REBELLO, J.)

(R.S. MOHITE, J.)